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**UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
COLUMBIA DIVISION**

LAKEYSHA TENILLE HENRY, as an  
individual,

Plaintiff(s),

vs.

BUSINESS INFORMATION GROUP, INC.,  
a Foreign Corporation registered to do  
business in the State of Pennsylvania; and  
DOES 1-10 inclusive,

Defendant(s).

**Case No.:** 3:23-cv-05886-MGL

**COMPLAINT FOR DAMAGES and  
DEMAND FOR JURY TRIAL**

Plaintiff LAKEYSHA TENILLE HENRY (hereafter “Plaintiff”) files her  
Complaint for Damages and Demand for a Jury Trial against Defendants BUSINESS  
INFORMATION GROUP, INC., and DOES 1-10 inclusive (hereinafter collectively as  
“Defendants”), and alleges as follows:

**NATURE OF THE ACTION**

1. Defendant is an employment screening company that furnishes employment  
screening reports to prospective employers. Its reports include information related to an  
applicant’s criminal history.

2. On or about December 2021, Plaintiff was conditionally hired by her  
prospective employer Ruthlie Israel Insurance Agency, LLC.

3. In connection with Plaintiff’s employment application, Ruthlie Israel  
procured a background screening report on Plaintiff from Defendant.



1 14. Plaintiff is ignorant of the Defendants sued herein as DOES 1-10, inclusive,  
2 and therefore sues those Defendants by such capacities when such information is  
3 ascertained through discovery.

4 15. Plaintiff is informed and believes and thereon alleges that each of the DOES  
5 1-10 Defendants is responsible in some manner for the occurrences herein alleged and that  
6 Plaintiff's damages as herein alleged were proximately caused by such occurrences.

7 16. Plaintiff is informed and believes and thereon alleges that, at all times herein  
8 mentioned, Defendants DOES 1-10, were principals or agents of each other and of the  
9 named Defendants and in doing the things alleged in this complaint, were acting in the scope  
10 of such agency and with the permission and consent of Defendants.

11 **FIRST CAUSE OF ACTION**  
12 **(15 USC §1681(e)(b) and DOES 1-10)**

13 17. Plaintiff hereby incorporates by reference the allegations of each and every  
14 paragraph above.

15 18. Defendant willfully and/or recklessly violated the above-referenced sections  
16 of the FCRA by disclosing erroneous information.

17 19. Defendant's conduct was willful and/or reckless because it knew that  
18 disclosing pardoned records is insufficient to assure maximum possible accuracy of the  
19 criminal history information reported.

20 20. Plaintiff is informed, and believes, and thereon alleges that Defendant failed  
21 to sufficiently conduct audits, reviews, or quality control of the information it reported.

22 21. Alternatively, Plaintiff alleges that Defendant's violations were negligent.

23 **SECOND CAUSE OF ACTION**  
24 **(15 USC §1681k(a)(2) and DOES 1-10)**

25 22. Plaintiff hereby incorporates by reference the allegations of each and every  
26 paragraph above.

23. Defendant willfully and/or recklessly violated the above-referenced sections of the FCRA by disclosing outdated information.

24. Defendant's conduct was willful and/or reckless because it knew that disclosing pardoned records is insufficient to ensure that the reported information is complete and up to date.

25. Plaintiff is informed, and believes, and thereon alleges that Defendant failed to sufficiently conduct audits, reviews, or quality control of the information it reported.

26. Alternatively, Plaintiff alleges that Defendant's violations were negligent.

### PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as follows:

- a. For a declaration that Defendants' practices violate FCRA;
- b. For statutory, compensatory, special, general, and punitive damages according to proof and as applicable against all Defendants;
- c. For interest upon such damages as permitted by law;
- d. For an award of reasonable attorneys' fees provided by law under all applicable statutes;
- e. For the costs of the lawsuit;
- f. For injunctive relief as applicable; and
- g. For such other orders of the Court and further relief as the Court deems just and proper.

Dated: November 16, 2023

/s/ Penny Hays Cauley

Penny Hays Cauley, Fed. ID No. 10323

**HAYS CAULEY, P.C.**

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*\*Pro Hac Vice Forthcoming*  
Attorneys for Plaintiff

**DEMAND FOR JURY TRIAL**

Plaintiff hereby requests and demands a jury trial on all issues triable by jury.

/s/ Penny Hays Cauley  
Of Counsel